

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KIM COMER, et al.,

Plaintiffs,

Case No. 1:04-cv-108

v.

Hon. Richard Alan Enslen

WALMART STORES, INC.,

Defendant.

/

ORDER APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed March 18, 2005, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Defendant Wal-Mart Stores, Inc.'s Motion to Dismiss Six Plaintiffs for Failure to Prosecute and/or Comply with Orders of This Court and the Federal Rules (Dkt. No. 168) is **GRANTED** and the claims of Plaintiffs Gresham, McCune Mickelson and Schuch are **DISMISSED** with prejudice for the reasons stated in the Report and Recommendation.

Dated in Kalamazoo, MI:
April 22, 2005

/s/Richard Alan Enslen
Richard Alan Enslen
United States District Judge